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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,159	01/20/2004	Satish Parolkar	P24473	6660

7055 7590 08/25/2006

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RESTON, VA 20191

EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/759,159	<b>Applicant(s)</b> PAROLKAR ET AL.	
	<b>Examiner</b> Md S. Elahee	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET-TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                                 |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                            | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/22/2005</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is responsive to an amendment filed on 06/12/2006. Claims 1-20 are pending.

### ***Response to Arguments***

2. Applicant's arguments filed in the 06/12/2006 Remarks have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

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invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-5 and 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Brookler et al.** (US 2002/0007303) in view of **Vo et al.** (US 6,795,444).

As to Claims 1, 11,17, with respect to Figures 1-4,6, **Brookler** teaches a method of collecting information, comprising:

sending an interactive text markup programming language script, using WAP/HTML or internet/PalmOS/SMS, to a communications device, the interactive script including first question [i.e., at least a first query] and second question [i.e., a second query] that depends on a response to the first query (Figure 2; labels 38, 48; page 1, paragraphs 0007-0013, page 3, paragraphs 0044, 0047-0049, 0051, page 4, paragraph 0052, page 5, paragraphs 0073, 0079, 0080); and

receiving the response to the first query and a response to the second query from the communications device, each of the response to the first query and the response to the second query being based upon input from a user of the communications device (Figure 2; labels 38, 48; page 3, paragraphs 0044, 0047-0049);

**Brookler** does not teach the following limitation:

“using a session initiation protocol (SIP) message”

However, it is obvious that **Brookler** suggests the limitation. This is because **Brookler** teaches sending messages over a session using the WAP/HTML or internet/PalmOS/SMS (fig.3). **Vo** teaches sending SIP messages over the world wide web (Figures 1, labels 130,108,138).

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Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add SIP messaging to **Brookler's** invention for protocol conversions between networks as taught by **Vo's** invention in order to provide communications in integrated networks.

As to Claims 2, 13, **Brookler** teaches the method of collecting information of claim 1, wherein the received responses comprise information of at least one of a location of the communications device, a type of the communications device, a communications format used by the communications device, a communications mode desired by the user of the communications device, a personal identification of the user of the communications device, an account number of the user of the communications device, a password of the user of the communications device, billing information of the user of the communications device, the intent of the user of the communications device, a preferred language of the user of the communications device, and a question from the user of the communications device (Figure 1; page 1, paragraph 0012).

As to Claims 3,14, **Brookler** teaches the method of collecting information of claim 1, wherein the received responses are a textual representation of one of a DTMF tone, VoicexML and HTML speech tags (page 5, paragraph 0073).

As to Claims 4,15, **Brookler** teaches the method of collecting information of claim 1, further comprising providing the response to a user of a recipient device (Figure 2, label 40).

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As to Claims 5,16,18, **Brookler** teaches the method of collecting information of claim 1, the response being additionally based upon information provided by the communications device (Figure 2).

As to Claim 12, **Brookler** teaches the method of interactively pre-screening user information of claim 11, further comprising establishing a communications connection between the communications device and one of a plurality of agent devices, the one of the plurality of agent devices being determined based on the response (Figure 1,2; page 2, paragraph 0030, page 3, paragraph 0041).

#### *Reasons for Allowance*

6. The following is an examiner's statement of reasons for allowance:

Claims 6-10, 19 and 20 are allowed.

Regarding claims 1, 19, the prior art reference **Brookler** fails to teach a call queue that receives a call from an automated call distributor and sends an interactive text markup programming language script using a session initiation protocol to communications devices. **Brookler** teaches sends an interactive text markup programming language script. However, there is no suggestion or motivation to combine with any reference with **Brookler** to teach a call queue that receives a call from an automated call distributor as well as sending and sends the script using a session initiation protocol. **Brookler** does not need to a call queue to receive a call and send the script.

*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Low et al.** (US 7,000,019) teach Establishment of a deferred network communication session;

**Travaille et al.** (US 6,067,107) teach Response capacity management in interactive broadcast systems by periodic reconfiguration of response priorities;

**Donovan et al.** (US 6,816,579) teach Method and system for releasing a voice response unit from a protocol session; and

**Brown et al.** (US 2003/0108184) teach Promoting caller voice browsing in a hold queue.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ME

MD SHAFIUL ALAM ELAHEE

August 20, 2006

  
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